
**APPEALS BOARD
UTAH LABOR COMMISSION**

**UTAH OCCUPATIONAL SAFETY
AND HEALTH; BRENT KUMMER,**

Petitioner,

vs.

PARK CITY SCHOOL DISTRICT,

Respondent.

**ORDER DENYING REQUEST
FOR RECONSIDERATION**

Case No. 5102376

Brent Kummer asks the Appeals Board of the Utah Labor Commission to reconsider its prior decision affirming Judge Sessions' dismissal of Mr. Kummer's request for hearing. This matter arises out of Mr. Kummer's complaint that Park City School District discriminated against him in violation of §34A-6-304 of the Utah Occupational Safety and Health Act. The Appeals Board exercises jurisdiction over this matter pursuant to Utah Code Ann. §63-46b-13.

DISCUSSION

For the reasons stated in its previous decision, the Appeals Board had concluded that the Utah Occupational Safety and Health Act does not authorize Mr. Kummer to request a hearing in this matter. Although Mr. Kummer now asks the Appeals Board to reconsider its decision, Mr. Kummer has submitted no argument or authority indicating that the Appeals Board's previous decision is in error. Having reviewed this matter once again, the Appeals Board concludes that its previous decision is correct.

ORDER

The Appeals Board reaffirms its previous decision and denies Mr. Kummer's request for reconsideration. It is so ordered.

Dated this 23rd day of April, 2007.

Colleen S. Colton, Chair

Patricia S. Drawe

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Joseph E. Hatch